

RELIEF FROM STAY INFORMATION SHEET

* * * SEE IMPORTANT INSTRUCTIONS ON FORM EDC 3-468-INST * * *
PLEASE COMPLETE ALL PORTIONS APPLICABLE TO THE RELIEF FROM STAY MOTION

FILED
January 04, 2011
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0003187345

DEBTOR: Israel C. and Maricruz Carlos **CASE NO.** 10-51054

MOVANT: Tri Counties Bank **DC NO.:** PJR-001

HEARING DATE/TIME: January 18, 2011 / 1:00 p.m.

RELIEF IS SOUGHT AS TO (✓) REAL PROPERTY () PERSONAL PROPERTY () STATE COURT LITIGATION

- 1. Address OR description of property or state court action** **6221 Woodbury Drive, Magalia, CA 95954**

2. Movant's trust deed is a (✓) 1st () 2nd () 3rd () Other: _____

OR

Leased property is (✓) Residential () Non-residential Term: () Month-to-Month () Other

- 3. Verified appraisal filed? No** **Movant's valuation of property \$ 65,000.00**

- 4. The following amounts are presently owing to movant for:**

PRINCIPAL	INTEREST	COSTS	TOTAL
\$ 102,739.99	\$ 4,206.47	\$ 175.48	\$ 107,121.94

- 5. State identity, rank, and balance owing to other known lien holders. Use additional page if necessary.**

\$ _____
\$ _____
\$ _____

TOTAL ALL LIENS	\$ 107,121.94
DEBTOR'S EQUITY	\$ 0.00

FOR COURT USE ONLY

Monthly payment is \$ 854.83 , of which \$ 0.00 is for impound account. Monthly late charge is \$ 51.29 .

7. The last payment by debtor was received on 12/03/10 and was applied to the payment due 6/29/10.

8. Number of payments past due and amount: (a) Pre-petition 4 \$ 3,417.20 (b) Post-petition 1 \$ 854.83

9. Notice of Default was recorded on _____ **Notice of sale was published on** _____

10. If a chapter 13 case, in what class is this claim? Class 3

11. Grounds for seeking relief (check as applicable):

6.2 Case 6.2 Intermediate question 6

(+) Osmotic pressure (–) Osmolality (–) Osmolarity (–) Osmolality

() Date: _____

12. For each ground checked above furnish a brief supporting statement in the space below.

The debtor is in serious default on the contract and does not have any equity. The movant is inadequately protected. The proposed Chapter 13 plan provides for surrender of the real property.